



Zoning Administrator Hearing

Minutes

Mizner Conference Room
Mesa City Plaza Building, Suite 130
20 East Main Street
Mesa, Arizona, 85201

John S. Gendron
Hearing Officer

DATE September 2, 2008

TIME 1:30 P.M.

Staff Present

Jeff McVay
Brandice Elliott
Kelly Arredondo

Others Present

John Newcomb
Floyd Stillwell

CASES

Case No.: ZA08-068

Location: 1316 East McKellips Road

Subject: Requesting a Special Use Permit (SUP) to allow the development of a Comprehensive Sign Plan in the O-S and C-1 zoning districts.

Decision: Approved with the following conditions:

1. *Compliance with the site plan submitted except as modified by the conditions below.*
2. *Office tenants shall be permitted one (1) attached sign with a maximum area of thirty-two (32) square feet. Corner office tenants shall be permitted two (2) attached signs with a maximum aggregate sign area of thirty-two (32) square feet.*
3. *Signs shall not be installed on the rear elevation of Buildings A and B, or on the west elevation of Building A.*
4. *Review and approval of the detached sign by Design Review staff prior to submitting for sign permits.*
5. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: John Newcomb, applicant, represented the request. He noted he didn't have any additional information to add and that he was in agreement with the staff recommendation. Mr. Gendron asked the applicant and staff questions. Ms. Elliott gave a summary of the staff recommendation, recommending that condition 2 be clarified to allow corner tenants two signs with an aggregate sign area of 32 square feet. Mr. Gendron noted the consistency of the sign plan with the intent of the Code requirements in the approval of the request.

City of Mesa
Zoning Administrator Minutes
September 2, 2008

Finding of Fact:

- The approved Special Use Permit (SUP) establishes a comprehensive sign plan for a recently approved development. The development consists of commercial retail uses located adjacent to McKellips Road, and office uses located north of the commercial retail uses. The office portion of the development has minimal street frontage on Doran and lacks visibility from McKellips Road, which is addressed by the plan. The comprehensive sign plan address both detached and attached signs for the overall development.
- Attached signs for the retail portion of the development generally comply with current Code requirements. The applicant has proposed higher quality signs, in that exposed raceways will not be permitted, and signs will consist of pan channel letters and modified cabinets that comply with current Code requirements.
- By Code the office development would only be permitted one sign adjacent to Doran that would identify all tenants. To ensure that each tenant is identified, the comprehensive sign plan proposes to allow signage for each tenant with an aggregate area of 160 square feet. Given that the plan does not address the number of signs per tenant, it is recommended that each tenant be permitted one sign with a maximum area of 32 square feet, and corner tenants with two building frontages may have to up to two signs with a maximum aggregate area of 32 square feet. The applicant has justified the need for enough signs to identify multiple tenants justification for sign area in excess of 32 square feet, current Code allowed for office uses does not exist.
- Two monument signs adjacent to McKellips Road have been approved for this development. While the aggregate height of these signs exceed what Code would allow, the height of the signs is appropriate for the scale of development, and compensates for signage that will not be utilized on the Doran frontage. The elevation of the detached signs will be reviewed by Design Review staff prior to ensure that the design is consistent with the architecture of the development, approved by Design Review Board case DR08-042.
- The comprehensive sign plan is largely consistent with current Code requirements, and the minor deviations requested result in a plan that is more complimentary to adjacent development and consistent with the use of the property. Therefore, the comprehensive sign plan, with the recommended conditions, will be compatible with, and not detrimental to, adjacent properties and the surrounding development.

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City of Mesa
Zoning Administrator Minutes
September 2, 2008

Case No.: ZA08-071

Location: 5060 East Falcon Drive

Subject: Requesting a variance to allow construction of a screen wall that exceeds the maximum height permitted in the required front setback in the M-1 zoning district.

Decision: Approval with the following conditions.

1. *Compliance with the site plan submitted except as modified by the conditions below.*
2. *Review and approval of wall elevations by Design Review staff.*
3. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Floyd Stillwell, applicant, represented the variance request, noting agreement with the staff report and recommendation. Mr. Stillwell did state that Falcon Field should consider changing requirements so variance requests are not necessary for projects such as this. Ms. Elliott provided a summary of the variance request, noting why the variance is necessary and explaining why DR staff should review the wall. Mr. Gendron noted the support of the Airport, conformance with existing development pattern, that the location resulted in a reasonable compromise, and that there would be not detrimental conditions created in approving the variance.

Finding of Fact:

- The approved variance allows the installation of an 8-foot high wall in the front setback of an industrial property located in Falcon Field Airport. The wall would be located 10-feet behind the property line, resulting in a front landscape setback of 10-feet, where 20-feet would be required.
- The tenant of this property intends to store airplanes in a secured area. The applicant has indicated that sufficient landscaping could be provided in a 10-foot area, and will be commensurate with other properties in Falcon Field Airport. In addition, the applicant has obtained approval from Falcon Field Airport Authority to construct the wall in the proposed location.
- The applicant has noted that the depth of the parcel is limited due to its proximity to the taxiway and Falcon Drive. As a result, the lot must be maximized to accommodate a future building and on-site parking. Falcon Field tends to have smaller lease areas, which constrain developing properties from being fully compliant with current Code requirements.
- Although the landscape setback would be reduced from 20-feet to 10-feet as a result of this request, the quantity of trees and shrubs adjacent to Falcon Drive would remain consistent with current Code requirements. The applicant has provided 10 trees and 52 shrubs adjacent to Falcon Drive, where 8 trees and 32 shrubs would be required. The landscaping will create the illusion of a larger

City of Mesa
Zoning Administrator Minutes
September 2, 2008

front setback, and will minimize the visual impact of the closer proximity of the wall to the street.

- Details concerning the materials to be incorporated into the 8-foot high wall have not been provided on the elevations. Therefore, the applicant must work with Design Review staff in choosing materials and textures to be used in the wall to ensure that they are consistent with others used in Falcon Field.
- The existing setback for the property is limited and is marked by a chain link fence. Further, there is no landscape on Falcon Drive to screen the outdoor storage, resulting in complete visibility of the yard. The block wall would be an improvement to the existing condition of the property as it will screen the yard from view, and landscape will be installed to improve the streetscape and soften the impact of the 8-foot high wall.
- Development within an airport and the constraints of smaller lots represent unique conditions that provide sufficient justification for the requested variance. In addition, the improvements will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general.

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**City of Mesa
Zoning Administrator Minutes
September 2, 2008**

Case No.: ZA08-072

Location: 2309 East Lynwood Street

Subject: Requesting a variance to allow a room addition to encroach into the required rear setback in the R1-9 zoning district.

Decision: This case was continued to the September 16, 2008 hearing.

Summary: Due to lack of neighborhood notification this case was continued

Finding of Fact: N/A

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City of Mesa
Zoning Administrator Minutes
September 2, 2008

There being no further business to come before the Zoning Administrator, the hearing adjourned at 1:43 p.m.

The cases for this hearing were recorded and are available upon request.

Respectfully submitted,

John S. Gendron
Hearing Officer

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